

OCT 18 2005

BRUCE TITTEL
DONALD F. FREI
DAVID S. STALLARD
J. ROBERT CHAMBERS
GREGORY J. LUNN
KURT L. GROSSMAN
CLEMENT H. LUKEN, JR.
THOMAS J. BURGER
GREGORY F. AHRENS
WAYNE L. JACOBS
KURT A. SUMME
KEVIN G. ROONEY
KEITH R. HAUPT
THEODORE R. REMAKLUS
THOMAS W. HUMPHREY
SCOTT A. STINEBRUNER
DAVID H. BRINKMAN
BEVERLY A. LYMAN, Ph.D.
KRISTI L. DAVIDSON

WOOD, HERRON & EVANS, L.L.P.

2700 Carew Tower
441 Vine Street
Cincinnati, Ohio 45202-2917
TELEPHONE: (513) 241-2324
FACSIMILE (513) 421-7269
WEBSITE: www.whepatent.com

PATENT, TRADEMARK, COPYRIGHT
AND UNFAIR COMPETITION LAW
AND RELATED LITIGATION

EDMUND P. WOOD 1923-1968
TRUMAN A. HERRON 1935-1976
EDWARD B. EVANS 1936-1971

JOSEPH R. JORDAN
C. RICHARD EBY

KATHRYN E. SMITH
P. ANDREW BLATT, Ph.D.
DAVID E. JEFFERIES
WILLIAM R. ALLEN, Ph.D.
JOHN PAUL DAVIS
DOUGLAS A. SCHOLER
BRETT A. SCHATZ
DAVID W. DORTON
SARAH OTTE GRABER
STEVEN W. BENINTENDI, Ph.D.
RANDALL S. JACKSON, JR.

OF COUNSEL

JOHN D. POFFENBERGER
DAVID J. JOSEPHIC
THOMAS W. FLYNN
J. DWIGHT POFFENBERGER, JR.
BRADLEY D. BECK

FACSIMILE COVER SHEET

If transmission is interrupted or of poor quality, please
notify us immediately by calling 513\241-2324.
Ask for sender's secretary.

TO: Commissioner for PatentsFax No: 571-273-8300Pages (including cover page): 13Date: October 18, 2005FROM: Keith R. Haupt, Esq.
Reg. No. 37,638

Re: This fax includes: Amendment Transmittal; Preliminary Amendment

Serial No.: 10/602,198
Filed: June 24, 2003
Group Art Unit: 2856
Applicant: P. Michael Collins and
Steven E. Schaefer

Title: JAMB AND HEADER SURROUND FOR
MASONRY WALL
Conf. No.: 2217
Our Ref.: MIK-06U

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the
Commissioner for Patents, Art Unit 2856 at facsimile telephone
number (571) 273-8300 on October 18, 2005.

Lisa L. Tucker
Lisa L. Tucker

10/18/05
Date

The information in this facsimile message is
ATTORNEY-CLIENT PRIVILEGED, WORK PRODUCT and/or CONFIDENTIAL
INFORMATION Intended only for the use of the individual or entity to whom this fax is addressed.
If the reader of this message is not the intended recipient or the employee or agent responsible for delivering
it to the intended recipient, you are hereby notified that any dissemination, distribution or reproduction of this
communication is strictly prohibited. If you have received this communication in error, please immediately
notify us by telephone and return the original message to us at the above address via United States Postal
Service. Thank you.

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: P. Michael Collins and Steven E. Schaefer

Serial No.: 10/602,198

Examiner: Phi Dieu Tran A

Filed: June 24, 2003

Group No.: 2856

For: JAMB AND HEADER SURROUND FOR
MASONRY WALL

Conf. No.: 2217

RECEIVED
CENTRAL FAX CENTER

OCT 18 2005

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450AMENDMENT TRANSMITTAL

- Transmitted herewith is an amendment for this application.
- ☒ Small Entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted.

☐ Enclosed is a verified statement to establish small entity status.

☐ Other Than a Small Entity.
- The fee has been calculated as shown below:

	(Col. 1)		(Col. 2)	(Col. 3)	SMALL ENTITY		LARGE ENTITY	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Addit. Fee	Rate	Addit. Fee
TOTAL	*23	MINUS	**24	0	x 25	\$0	x50	\$
INDEP.	*4	MINUS	***4	0	x100	\$0	x200	\$
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM					+180	\$	+360	\$
					TOTAL FEE	\$0	TOTAL FEE	\$

* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

** If the "Highest No. Previously Paid for" IN THIS SPACE is less than 20, write "20" in this space.

*** If the "Highest No. Previously Paid for" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest No. Previously Paid for" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.

☒ No additional fee for claims is required.☐ Total fee for claims required \$_____.

4. Attached is a check in the sum of \$ _____.
 _____ Please charge my Deposit Account No. 23-3000 in the amount of \$ _____. A duplicate copy of this sheet is attached.
5. The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply.

Complete (a) or (b) as applicable.

- (a) _____ Applicant petitions for an extension of time under 37 CFR 1.136 for the total number of months checked below:

<u>Extension (months)</u>	<u>Fee for other than small entity</u>	<u>Fee for small entity</u>
_____ one month	\$ 120.00	\$ 60.00
_____ two months	\$ 450.00	\$ 225.00
_____ three months	\$1,020.00	\$ 510.00
_____ four months	\$1,590.00	\$ 795.00
_____ five months	\$2,160.00	\$1,080.00

Fee: \$ _____

_____ Please charge my Deposit Account No. 23-3000 in the amount of \$ _____. A duplicate copy of this sheet is attached.

If an additional extension of time is required, please consider this a petition therefor.

(Check and complete the next item, if applicable)

_____ An extension for _____ months has already been secured. The fee paid therefor of _____ is deducted from the total fee due for the total months of extension now requested.

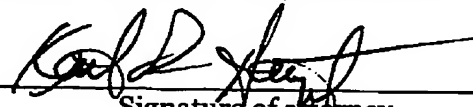
Extension fee due with this request \$ _____.

OR (b)

X Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

X If any additional fee for claims or extension is required, charge Acct. No. 23-3000.

2700 Carew Tower
 Cincinnati, Ohio 45202
 (513) 241-2324



 Signature of attorney

Keith R. Haupt

 Type name of Attorney

Reg. No. 37,638

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the Commissioner for Patents, Examining Group 2856 at facsimile telephone number (571) 273-8300 on October 18, 2005.

Lisa L. Tucker
Lisa L. Tucker

10/18/05
Date

OCT 18 2005

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the Commissioner for Patents, Examining Group 2856 at facsimile telephone number (571) 273-8300 on October 18, 2005.

Lisa L. Tucker 10/18/05
Lisa L. Tucker Date

Serial No.: 10/602,198
Filed: June 24, 2003
Group Art Unit: 2856
Examiner: Phi Dieu Tran A
Applicant: P. Michael Collins and Steven E. Schaefer
Title: JAMB AND HEADER SURROUND FOR MASONRY WALL
Conf. No.: 2217

Cincinnati, Ohio 45202

Date: October 18, 2005

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

PRELIMINARY AMENDMENT

Prior to examination on the merits of the pending claims, please amend this application as follows:

Amendments to the Claims are reflected in the listing of claims that begins on page 2 of this paper.

Remarks begin on page 9 of this paper.